IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 504 OF 2006

IN

WRIT PETITION NO. 198 OF 1990

THE ASSISTANT COLLECTOR OF CENTRAL EXCISE AND ANR., ...Applicants

Versus

UNIQUE FLEXIBLE CONVERTERS BY ITS PARTNERS AND ANR., ...Respondents

Mr. C.A. Ferreira,Asst.Solicitor General of India, for the Applicants.
Mr. Sanjay Sardessai, Advocate for the Respondents.

Coram:- V.C. DAGA &
N. A. BRITTO, JJ.

Date:- 14th August, 2006

P.C.:-

Heard rival parties.

For the reasons stated in the application, the learned Counsel for the respondent no.1 does not dispute the liability to pay the interest in the sum of Rs.12,043/-. In that event, it would be open for the Excise Department to recover this amount from and out of encashment of the Bank Guarantee.

The Registry is directed to invoke and encash the Bank Guarantee and after receipt of the proceeds thereof may pay it to the Excise Department by issuing A/C Payee cheque. Needless to mention that the Excise Department may recover the balance amount in accordance with law.

V.C. DAGA, J.

N. A. BRITTO, J.

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